

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

No. 3:12-cv-00456-MOC-DSC  
(Consolidated with Nos. 3:12-cv-00474 and 3:12-cv-00624)

MAURINE NIEMAN,	)	
	)	<u>CLASS ACTION</u>
Plaintiffs,	)	
	)	MOTION FOR ATTORNEYS' FEES
vs.	)	
	)	
DUKE ENERGY CORPORATION, et al.,	)	
	)	
Defendants.	)	

PLEASE TAKE NOTICE that pursuant to Fed. R. Civ. P. 23(h) and 54(d)(2), objector Fiduciary Counselors Inc. hereby moves this Court for fees in the amount of \$20,596 and costs in the amount of \$3,035.32, for the reasons stated in the Memorandum of Law, filed contemporaneously herewith, and the Declaration of Thomas O'Connor dated November 16, 2015 attached hereto as Exhibit A. Fiduciary Counselors Inc. has attempted to consult with Lead Counsel and counsel for Defendants regarding the relief sought by this Motion. As of the date of this Motion, counsel for the parties have not consented to the relief sought in this Motion.

Dated: November 16, 2015

**RAYBURN COOPER & DURHAM, P.A.**

/s/ Ross R. Fulton

Ross R. Fulton  
N.C. State Bar No. 31538  
227 W. Trade Street, Suite 1200  
Charlotte, NC 28202  
(704) 334-0891 (tel.) (704) 377-1897 (fax)  
rfulton@rcdlaw.net

and

Thomas E. O'Connor  
*Admitted Pro Hac Vice*  
Fiduciary Counselors, Inc.  
Senior Vice President  
700 12<sup>th</sup> Street N.W.  
Suite 700  
Washington, DC 2005  
TELEPHONE: 202-558-5130  
FACSIMILE: 202-558-5140

*Counsel for Fiduciary Counselors Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, including the following:

**Lead Counsel for the Settlement Class**

Tor Gronborg, Esq.  
Jeffrey D. Light, Esq.  
**ROBBINS GELLER RUDMAN & DOWD LLP**  
655 West Broadway, Suite 1900  
San Diego, CA 92101

Eli R. Greenstein, Esq.  
Stacey M. Kaplan, Esq.  
**KESSLER TOPAZ MELTZER & CHECK, LLP**  
One Sansome Street, Suite 1850  
San Francisco, CA 94104

**Settling Defendants' Counsel**

Debbie W. Harden, Esq.  
**WOMBLE CARLYLE SANDRIDGE & RICE, LLP**  
301 South College Street, Suite 3500  
Charlotte, NC 28202-6037

Steven M. Bierman, Esq.  
Andrew W. Stern, Esq.  
Erica S. Malin, Esq.  
**SIDLEY AUSTIN LLP**  
787 Seventh Avenue  
New York, NY 10019

This the 16th day of November, 2015.

/s/ Ross R. Fulton  
Ross R. Fulton